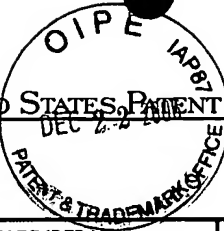


ANGES/009  
8/17/04

## UNITED STATES PATENT AND TRADEMARK OFFICE



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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/564,269	Ryuichi Morishita	ANGES-9

INTERNATIONAL APPLICATION NO.	
PCT/JP04/09838	
I.A. FILING DATE	PRIORITY DATE
07/09/2004	

1473  
FISH & NEAVE IP GROUP  
ROPES & GRAY LLP  
1251 AVENUE OF THE AMERICAS FL C3  
NEW YORK, NY 10020-1105

**RECEIVED**

JUL 31 2006

ROPES & GRAY LLP, PATENT DEPT.  
REF: AS  
NOTED BY: \_\_\_\_\_

CONFIRMATION NO. 7392

371 FORMALITIES LETTER



\*OC000000019730058\*

Date Mailed: 07/25/2006

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 01/09/2006
- Copy of the International Search Report filed on 01/09/2006
- Information Disclosure Statements filed on 01/09/2006
- Biochemical Sequence Diskette filed on 01/09/2006
- Oath or Declaration filed on 01/09/2006
- Biochemical Sequence Listing filed on 01/09/2006
- Request for Immediate Examination filed on 01/09/2006
- U.S. Basic National Fees filed on 01/09/2006
- Priority Documents filed on 01/09/2006
- Specification filed on 01/09/2006
- Claims filed on 01/09/2006
- Abstracts filed on 01/09/2006
- Drawings filed on 01/09/2006
- Paper Computer Listings filed on 01/09/2006

File No.: ANGES/009  
Action Desc: Executed Declaration due  
Due Date: September 25, 2006  
By: TLB

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE

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EV 669676401 US

DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

FREDERICK SMITH

Telephone: (703) 308-9140 EXT 210

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO
10/564,269	PCT/JP04/09838	ANGES-9

FORM PCT/DO/EO/905 (371 Formalities Notice)



Express Mail Label No. EV 669676401 US

PTO/SB/21 (09-06)  
Approved for use through 3/31/2007. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE  
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

11

Application Number	10/564,269
Filing Date	January 9, 2006
First Named Inventor	Ryuichi Morishita
Art Unit	Not Yet Known
Examiner Name	Not Yet Known
Attorney Docket Number	ANGES-9

**ENCLOSURES (Check all that apply)**

- ☐ Fee Transmittal Form  
☐ Fee Attached  
☐ Amendment/Reply  
☐ After Final  
☐ Affidavits/declaration(s)  
☒ Extension of Time Request (in duplicate)  
☐ Express Abandonment Request  
☐ Information Disclosure Statement  
☐ Certified Copy of Priority Document(s)  
☐ Response to Missing Parts/  
Incomplete Application  
☒ Response to Missing Requirements  
under 35 U.S.C. 371

- ☐ Drawing(s)  
☐ Licensing-related Papers  
☐ Petition  
☐ Petition to Convert to a  
Provisional Application  
☒ Power of Attorney, Revocation  
Change of Correspondence Address  
☐ Terminal Disclaimer  
☐ Request for Refund  
☐ CD, Number of CD(s) \_\_\_\_\_  
☐ Landscape Table on CD

- ☐ After Allowance Communication to TC  
☐ Appeal Communication to Board  
of Appeals and Interferences  
☐ Appeal Communication to TC  
(Appeal Notice, Brief, Reply Brief)  
☐ Proprietary Information  
☐ Status Letter  
☒ Other Enclosure(s) (please identify  
below):  
Copy of Notice of Missing  
Requirements;  
Copy of Executed Declaration;  
Postcard

**Remarks**

The Director is hereby authorized to charge payment of any fees required in connection with filing of these papers to Deposit Account No. 06-1075, Order No. 003734-0059. A duplicate copy of this letter is transmitted herewith.

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name Customer No. 1473

Signature

Printed name Margaret A. Pierri

Date

December 22, 2006

Reg. No.

30,709

**CERTIFICATE OF TRANSMISSION/EXPRESS MAILING**

I hereby certify that this correspondence is are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and are addressed to Mail Stop Missing Parts, Hon. Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

Signature

Typed or printed name

Isatta B. Smith

Date

December 22, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

American LegalNet, Inc.  
www.USCourtForms.com



EV 669676401 US

ANGES-9

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Ryuichi Morishita et al.  
Application No. : 10/564,269 Confirmation No.: 7392  
Filed : January 9, 2006  
For : MEDICINAL COMPOSITION CONTAINING NF- $\kappa$ B  
DECOY FOR TREATING AND PREVENTING  
RESPIRATORY DISEASES AND METHOD OF  
USING THE SAME  
Art Unit : Not yet assigned  
Examiner : Not yet assigned

New York, New York  
December 22, 2006

**Mail Stop PCT**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

RESPONSE TO NOTIFICATION OF MISSING  
REQUIREMENTS UNDER 35 U.S.C. 371

Sir:

This responds to the July 25, 2006 Notification of Missing Requirements Under 35 U.S.C. 371 ("Notice") in the above-identified application (copy enclosed herewith). Applicants have petitioned concurrently herewith to extend the time for response to the Notice for three months, from September 25, 2006 to December 25, 2006 and, in the accompanying Transmittal Form, have authorized payment of the applicable extension of time fee.

**Remarks begin on page 2.**